

Florida Keys National Marine Sanctuary



Review and Discussion
March 2, 2020



Florida Fish and Wildlife Conservation Commission

FWC Authority in FKNMS

- Authority to implement fisheries regulations in state waters of the FKNMS
- Limited authority to implement boating, habitat, and wildlife regulations



Photo courtesy: NOAA

Federal Councils Role in FKNMS

- Councils comment on items in Restoration Blueprint
- Councils work with FWC to consider fisheries rules in federal waters?
- Councils and FWC may hold joint workshops



FWC FKNMS Process

- **Oct. and Dec.** – FKNMS FWC discussions
- **Jan.** – FWC staff meetings with diverse stakeholder organizations
- **Feb.** – Look at all relevant aspects of plan and consider FWC's proposed response
- **April** – FWC comments due
- **Summer 2020** – FWC begin rulemaking process for state waters



Photo courtesy: NOAA

FWC Guiding Principles for Evaluating FKNMS Plan

1. Addressing ecosystem-level change a high priority
 - Water quality, water flow, coral loss
2. Fisheries management reserved to FWC in state waters
3. Consider closures and access restrictions on a case-by-case basis
4. Need to clearly define rationale for proposed actions
 - What issue is being addressed?
 - What has past experience taught us?
 - What are likely outcomes?
 - Evaluate relative to expected stakeholder impacts
5. Must be fair to all stakeholders



Florida Keys National Marine Sanctuary Outline

1. Overarching FKNMS Issues

- Water quality
- Education
- Law enforcement

2. Enhancing Coral Reef Restoration and Recovery

- Protect reef areas
- Protect coral nurseries
- Manage restoration sites

3. Area Closures for Fisheries Management

- Large, contiguous areas
- Western Dry Rocks



Florida Keys National Marine Sanctuary Outline

4. Habitat and Wildlife Conservation

- Wildlife Management Areas
- Select appropriate places for no-motor or slow speed zones
- Key Largo Management Area

5. FKNMS-wide Issues

- FKNMS boundary expansion
- Baitfish permits
- Fish feeding
- Traditional fishing definition
- Live rock aquaculture



Photo courtesy: NOAA

Overarching FKNMS Issues

Water quality

- Integral component of coral reef and nearshore habitat restoration and recovery
- Encourage FKNMS to take a leadership role in ensuring water quality is addressed

Education

- Education is a critical element of any management action



Bottom photo courtesy: NOAA

Overarching FKNMS Issues

Law Enforcement

- Not enough FWC LE officers to monitor and enforce the regulations of the current FKNMS zones (3,800 sq. miles)
- Currently, 56 LE positions assigned to Monroe County to enforce regulations in the FKNMS
- FKNMS no longer funds FWC LE positions dedicated to the Sanctuary (historically 17 positions were funded)
- Additional LE patrol officers and equipment needed to patrol additional marine zones



Coral Reef Restoration and Recovery

FWC recommendation

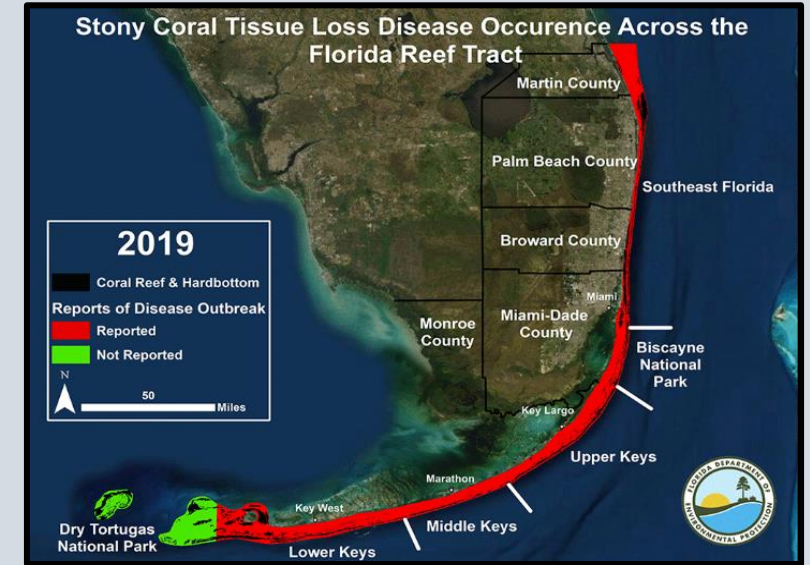
- Restoration and recovery of corals should be primary focus

Current last resort actions

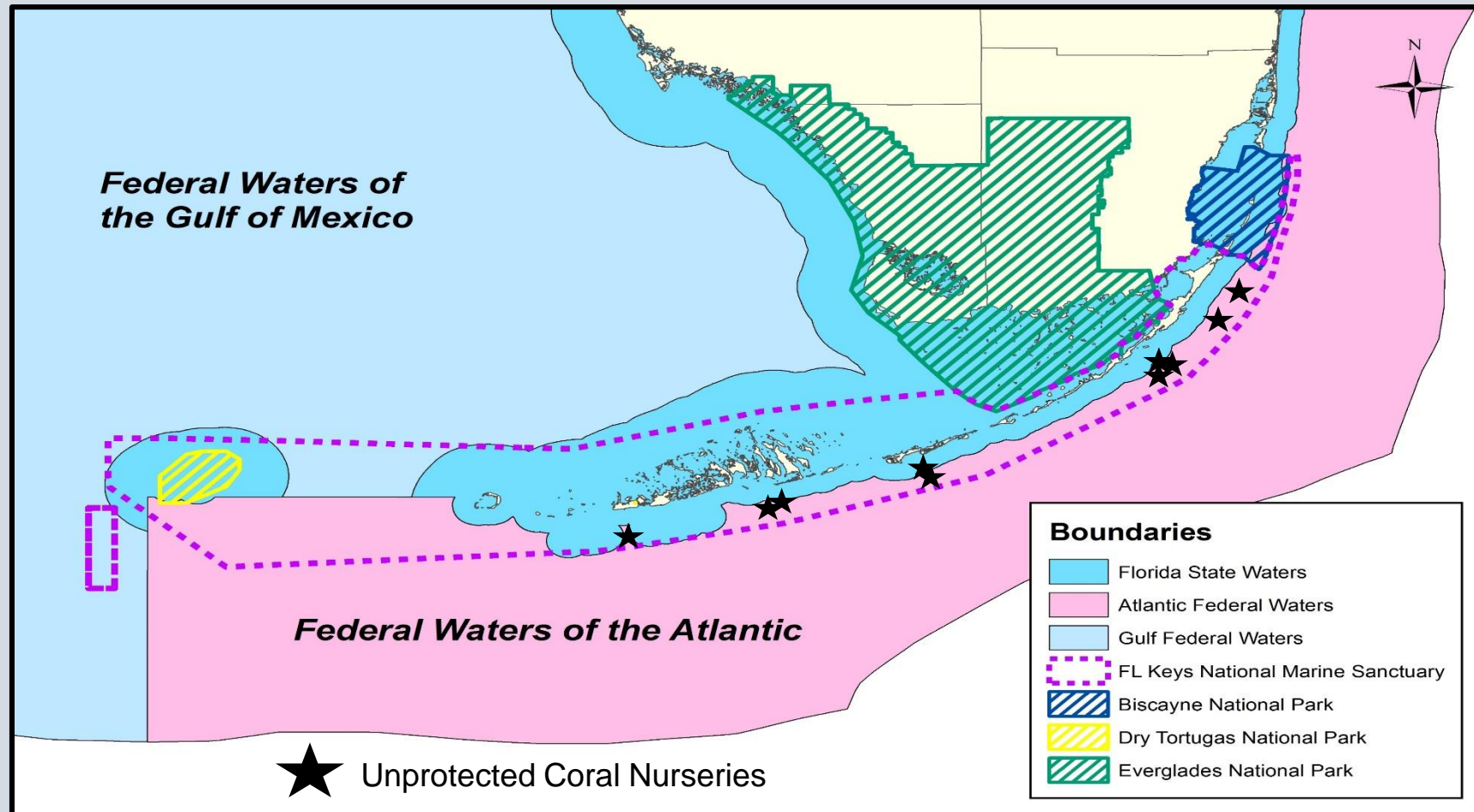
- FWC leading, with a host of partners, an unprecedented coral rescue program
- Treating diseased corals with antibiotics
- Embarking on large-scale restoration efforts

Strategic closures needed to support current actions

- Protection of coral reef habitats from direct human impacts

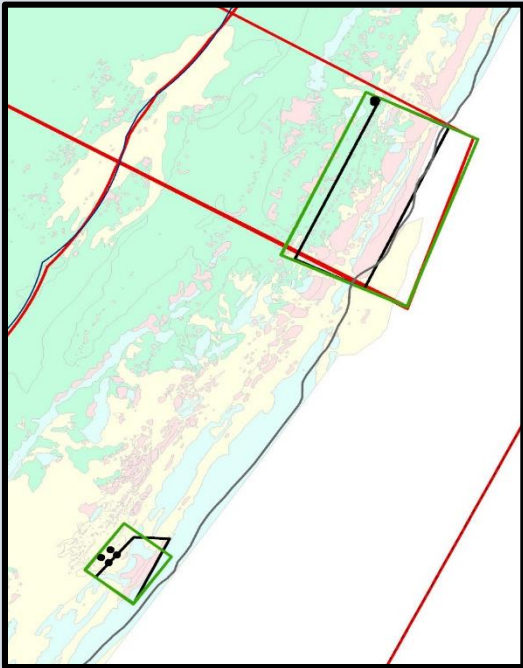


Currently Unprotected Coral Nurseries in Federal Waters

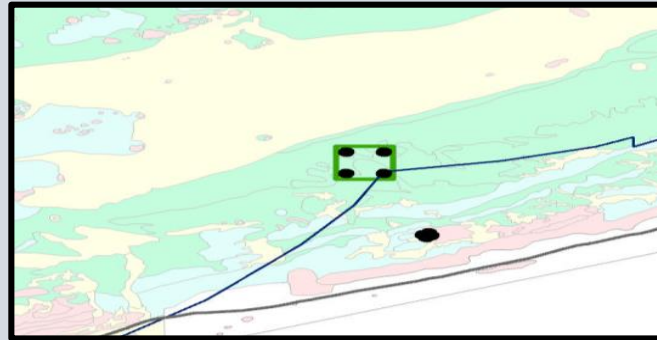


Currently Unprotected Coral Nurseries in Federal Waters

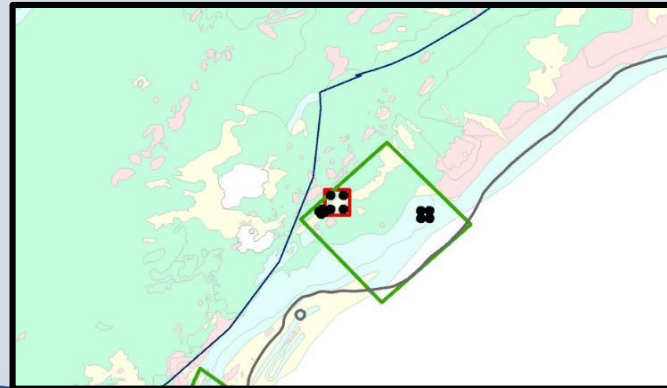
Carysfort Reef and the Elbow SPAs
(proposed expansion)



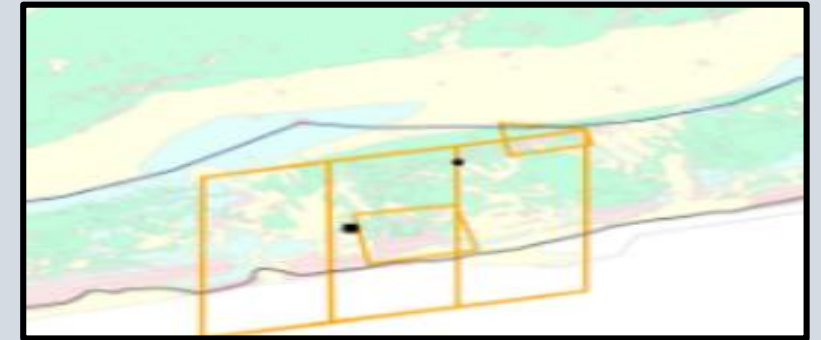
Marathon SPA (proposed new)
and unprotected nursery



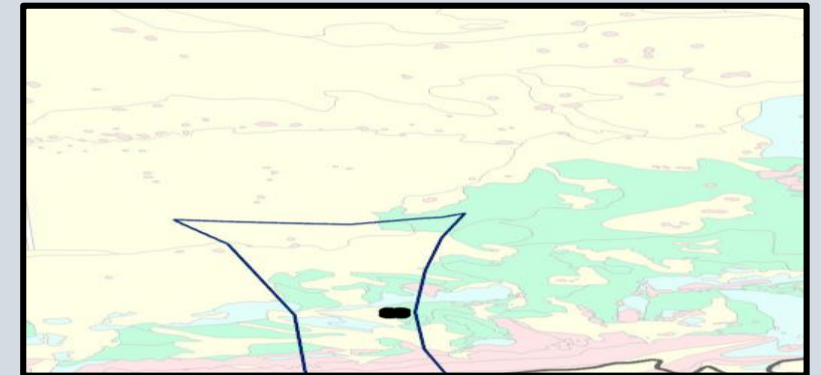
Pickles Reef/Snapper Ledge
SPAs (proposed new)



Looe Key SPA
(proposed expansion)



Coral nursery with no
proposed protection



Coral Reef Restoration and Recovery

Protect coral reef habitats

- Assess and prioritize current/proposed closed areas relative to the goal of coral reef restoration and recovery
 - 60 areas closed to commercial lobster trapping
- Protect listed species and resilient reefs

Protect coral nurseries

- Protect active nurseries and develop process for opening/closing future nurseries

Active restoration locations

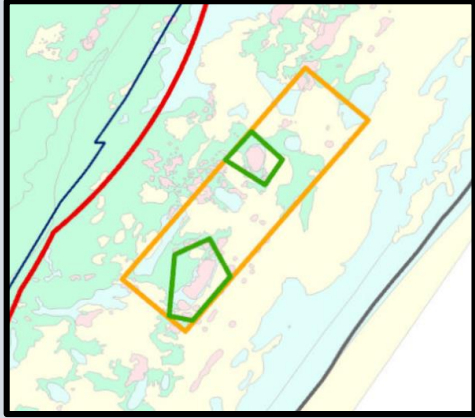
- Work with FKNMS to develop process to assess coral reef restoration and determine next steps



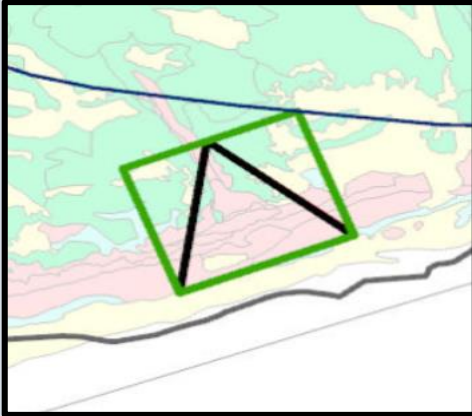
Spawning coral outplants!



FWC Recommendations for FKNMS Proposed New/Expanded Protected Areas



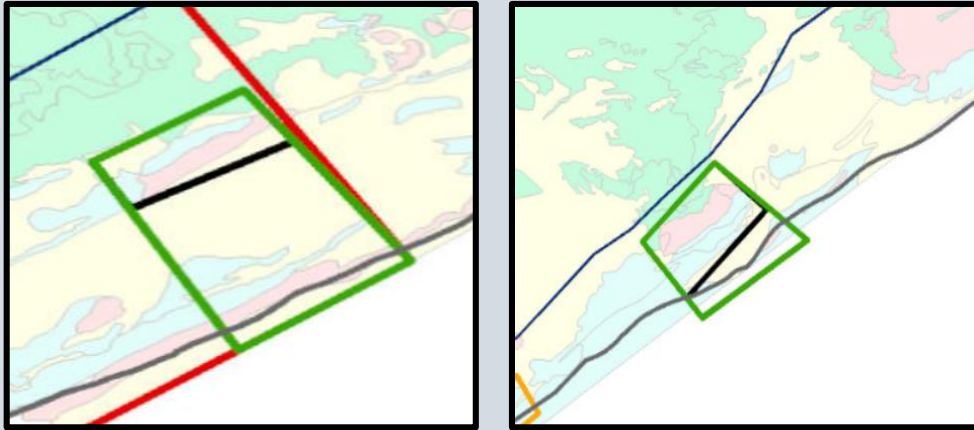
**KL Dry Rocks-Grecian Rocks-North
Dry Rocks SPA & Delta Shoal SPA –
Status quo**



Sombrero Reef SPA – Support expansion



FWC Recommendations for FKNMS Proposed New/Expanded Protected Areas



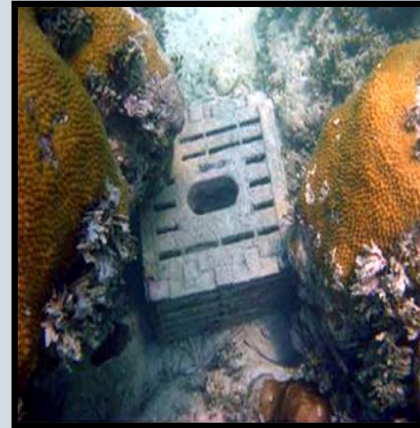
Tennessee Reef CA & Alligator Reef SPA –
Support expansion, allow trolling in expanded area



Coral Reef Restoration and Recovery

FWC actions to be considered

- At select coral reefs
 - No anchor zones
 - Idle speed, where applicable
 - No fishing, where applicable
- Coral nurseries
 - All of the above
- Active restoration locations
 - All of the above, plus relocate nearby mooring buoys
 - No-entry or transit-only in portion of reef being restored



Coral Reef Restoration and Recovery FWC Recommendation

Artificial reefs

- Support strategically placed artificial reefs to increase fish habitat and enhance recreational and diving opportunities
- Offset closed areas



High-use and overcrowding at reefs

- Do not only allow access to certain reefs by Blue Star operators
- Work with stakeholders and FKNMS to conduct research and develop plan to manage diver access



Area Closures for Fisheries Management

Large, contiguous habitat FKNMS proposals

- Carysfort Reef SPA
- Long Key Tennessee Reef SPA
- Tortugas Spawning Corridor SPA
- All partly in state waters

FWC recommendation

- Do not support at this time
 - Ecosystem and fisheries benefits for these 3 large areas poorly understood
 - Further ecological/social science needed to evaluate if large area management can be effective in the Florida Keys

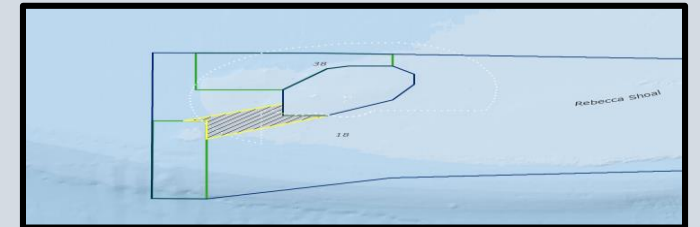
Carysfort Reef (17.49 sq. miles)



Long Key Tennessee Reef
(9.57 sq. miles)



Tortugas Spawning
Corridor (39.10 sq. miles)



Area Closures for Fisheries Management

Western Dry Rocks – FKNMS proposal

- Prohibits fishing and anchoring within Western Dry Rocks (2.24 sq. miles)
 - Trolling only exemption

Background

- State waters
- Popular fishing location

FWC recommendation

- Remove from FKNMS Restoration Blueprint
- FWC could consider alternative management options



Species	J	F	M	A	M	J	J	A	S	O	N	D
Black grouper												
Scamp												
Nassau grouper												
Gag grouper												
Red hind												
Yellowtail snapper												
Mutton snapper												
Gray snapper												
Schoolmaster												
Atlantic spadefish												
Permit												



Habitat and Wildlife Conservation: Wildlife Management Areas

FKNMS proposals

- Creation of Wildlife Management Areas (WMAs) and/or modification of regulations at existing WMAs
- Regulations are area/resource-specific
 - May include no-entry, transit only, no-motor, idle speed, and no-anchor zones
- Majority within National Wildlife Refuges

FWC recommendation

- Consider on a case-by-case basis
- Balance resource needs and user access



Habitat and Wildlife Conservation: Key Largo Management Area

FKNMS proposal

- Restrict anchoring within the Key Largo Management Area (132 sq. miles)

FWC recommendation

- Too large an area to prohibit anchoring
 - Restricts access to bottom fishers and divers
- Work with stakeholders on ways to address anchor damage concerns



Photo courtesy: NOAA

FKNMS-wide Issues: Boundary Expansion

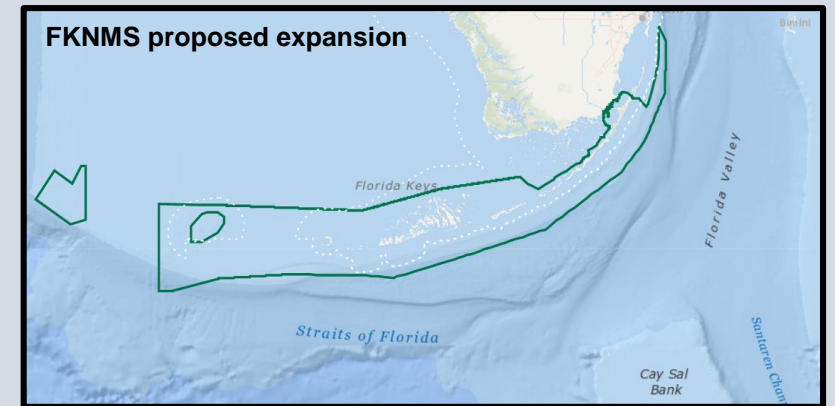
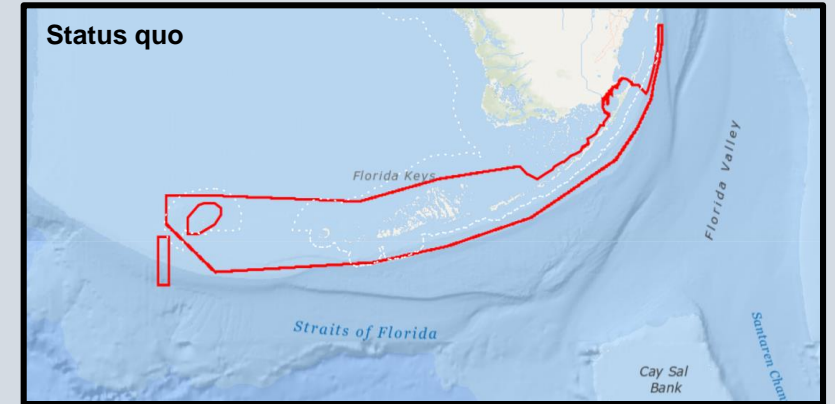
FKNMS proposals

- Expand oceanside external boundary
- Westward shift in the boundary of Tortugas South Reserve
- Incorporate Pulley Ridge (no anchor zone)

Background

- Prohibit discharge from vessels
- Reduce impact of large vessel groundings
- Prevent anchor damage in Pulley Ridge

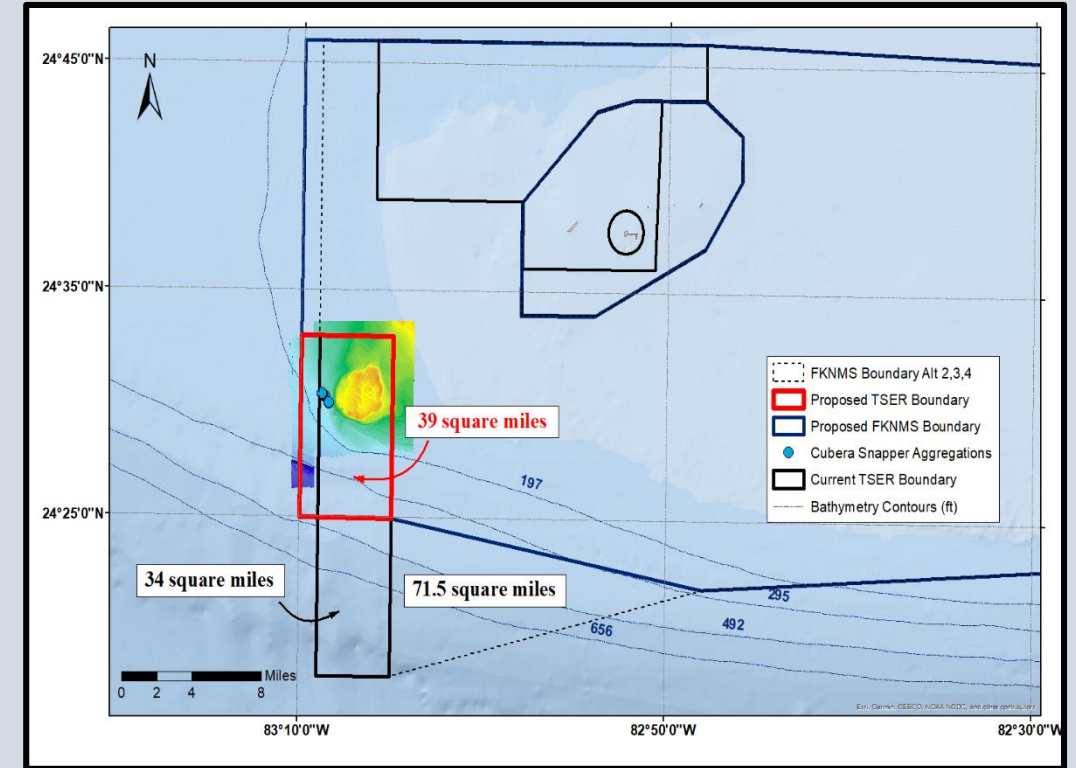
FKNMS Options



FKNMS-wide Issues: Boundary Expansion

FWC recommendation

- Open access to portion of Tortugas South Ecological Reserve and adjust proposed boundary accordingly
- Incorporate Pulley Ridge into FKNMS
 - Protect some of deepest reefs in continental U.S.
 - Prohibit anchoring



FKNMS-wide Issues: Baitfish Permits Phase-Out

FKNMS proposal

- Phase-out of permits over a 3-year period

FWC recommendation

- Support lampara net baitfishers ability to fish in SPAs
 - Limited-access fishery
 - Contact with reef by lampara nets is unlikely
- Concern with cast net impacts to coral reefs
 - Staff recommends phasing out cast net permits in SPAs



FKNMS-wide Issues: Fish Feeding

FKNMS proposal

- New regulation would prohibit feeding of fish, sharks, or other marine species while diving **and/or** from any vessel

Background

- Current state regulations don't extend into federal waters

FWC recommendation

- Support FKNMS proposal
 - Consider updating FWC rules for state waters



FKNMS-wide Issues: Traditional Fishing Definition

FKNMS proposal and proposed clarification underlined

Traditional fishing means those commercial or recreational fishing activities that were customarily conducted within the sanctuary prior to its designation as identified in the environmental impact statement and management plan (EIS/MP) for this sanctuary, as managed by the appropriate federal (National Marine Fisheries Service in coordination with South Atlantic Fishery Management Council, Gulf of Mexico Fishery Management Council) and state (Florida Fish and Wildlife Conservation Commission) agencies.

Traditional fishing does not include use of novel or new gear types to catch species that were fished by other means as identified in the EIS/MP; does not include use of gear types (modified or not) identified in the EIS/MP to catch species those gear types were not originally intended to catch; or does not include use of gear or harvest of species outside of the seasons/time of year identified in the EIS/MP.



FKNMS-wide Issues: Live Rock Aquaculture

FKNMS proposals

- Status quo: Prohibited except with a permit from NMFS or state of Florida
- FKNMS develop a memorandum of agreement/understanding with NMFS and state of Florida for live rock aquaculture management and permits
- FKNMS require sanctuary authorization for existing and future live rock aquaculture activities

FWC recommendation

- Support development of memorandum of agreement/understanding with FKNMS



Partial Summary of FWC Comments to FKNMS

- FWC will consider fisheries actions in state waters
- Additional LE funding needed
- Address water quality and education in plan
- Management recommendations to support coral reef restoration and recovery
- Expansion of FKNMS is supported, but open access to a portion of TSER
- Comment on baitfish permits and fish feeding
- Request FKNMS provide updates on progress every 5 years
 - All management actions would be reconsidered at that time

NEW



Potential FWC Rulemaking Items for State Waters

Existing SPAs

- No anchoring

New/Expanded SPAs

- No anchoring
- No fishing
- No trapping

Additional Rulemaking Items

- Western Dry Rocks – Consider less restrictive action
- Fish feeding regulations



Next Steps for FWC

FWC proceeding with fisheries management rules in state waters

- Staff work with Chairman on finalizing FWC comment letter by April 30
- FWC workshops this summer
- Draft rule in fall
- Work with Councils to hold joint workshops for fisheries rules in federal waters

FWC work with FKNMS on

- Updating management agreements
- Next version of Restoration Blueprint
- FKNMS draft rule for non-fisheries items



Photo courtesy: NOAA

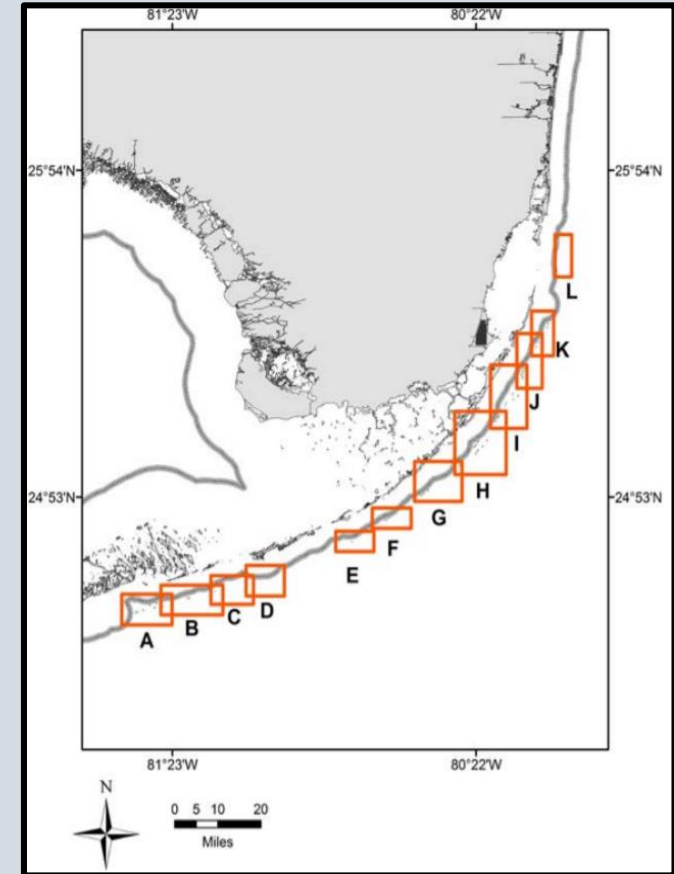
FWC Suggestions for Council Comments

- 1) New and expanded Sanctuary Preservation Areas
- 2) Additional regulations in SPAs (no anchor and idle speed)
- 3) Sanctuary boundary expansion
- 4) Baitfish permits
- 5) Fish feeding
- 6) “Traditional fishing” definition
- 7) Live rock permits
- 8) Key Largo Management Area
- 9) Large, contiguous habitats
- 10) 60 closed areas for commercial spiny lobster trap areas
- 11) Fisheries management cooperative agreement



Reassessment of Areas Closed by Councils to Commercial Lobster Traps

- Industry highlights limited *Acropora* spp. following Hurricane Irma in closed areas
- 5 additional ESA-listed corals
- FWRI study compared effect of unmarked areas closed to commercial lobster fishing to marked areas
 - Higher density of traps in unmarked closed areas relative to marked areas
 - Education reduced #'s of traps, but not significantly
- Are these closed areas in the correct locations?



Suggested Path Forward

- Submit comments to FKNMS on Restoration Blueprint
- Conduct joint workshops with FWC
- Reevaluate 60 closed areas to commercial spiny lobster trap fishing
- Consider fisheries rulemaking for items in federal waters

